

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

CIVIL MINUTES – GENERAL

Case No. CV 23-00802-SK Date: July 3, 2023
Title Frank Lopez et al. v. Officer Jay Choi et al.

Present: The Honorable: Steve Kim, United States Magistrate Judge

<u>Connie Chung</u> Deputy Clerk	<u>n/a</u> Court Reporter / Recorder
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Attorneys Present for Plaintiff(s):

None present

Attorneys Present for Defendant(s):

None present

**Proceedings: (IN CHAMBERS) SECOND ORDER TO SHOW CAUSE RE:
DISMISSAL FOR LACK OF PROSECUTION**

On May 10, 2023, the Court issued an order to show cause why this case should not be dismissed for lack of prosecution. (ECF 6). On May 18, 2023, Plaintiffs filed a brief in response. (ECF 10). On May 18, 2023, the Court issued an order discharging the order to show cause and extending the service deadline to June 19, 2023. As of July 3, 2023 Plaintiffs have still not filed a proof of service showing that service of summons and complaint was effectuated on Defendants. Accordingly, Plaintiffs are ORDERED to show cause on or before **July 17, 2023** why this case should not be dismissed for lack of prosecution. *Link v. Wabash R. Co.*, 370 U.S. 626 (1962) (Court has inherent power to dismiss for lack of prosecution on its own motion).

Pursuant to Rule 78 of the Federal Rules of Civil Procedure, the Court finds that this matter is appropriate for submission without oral argument. The Order to Show Cause will stand submitted upon the filing of Plaintiffs' response. Failure to respond to this Order to Show Cause will be deemed consent to the dismissal of the action.

IT IS SO ORDERED.